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Safe Drinking Water Act , CCL and Perchlorate



Technical Support Project Meeting

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Contaminant Identification and Selection Under the SDWA

- **1974 Safe Drinking Water Act (SDWA)**
 - ◆ But few contaminants regulated
- **1986 Amendments to the SDWA**
 - ◆ EPA to regulate 83 contaminants by 1989;
 - ◆ Regulate 25 contaminants every 3 years.
- **Congress, EPA, Stakeholders had concerns regarding the 1986 law:**
 - ◆ Statutory deadlines; water systems encountered difficulty in timely compliance, financial capacity;
 - ◆ Requirement to regulate 25 contaminants every 3 years without regard for real health risk reduction

Contaminant Identification and Selection Under the SDWA

1996 Amendments to the SDWA

- ▶ Required EPA to publish a list of contaminants "known or anticipated to occur in public drinking water systems and which may require regulation": Contaminant Candidate List (CCL)
- ▶ Within 18 months of SDWA (2/98) and every 5 years
- ▶ Broad consultation with stakeholders, National Drinking Water Advisory Council (NDWAC), and Science Advisory Board and public comment

Listing: Contaminant Candidate Selection under SDWA

Draft contaminant candidate list (CCL) Published on Oct. 6, 1997

- ▶ Solicited comment on approach, contaminants, data needs categories, inclusion of perchlorate
- ▶ Public comment indicated overall support for list, *inclusion of perchlorate to the final CCL*
- ▶ Proposed changes reviewed by NDWAC and its work group on contaminant selection

Final CCL published on March 2, 1998

- ▶ Contains 50 chemicals and 10 microbiologicals

Process of CCL Development: Listing Best Candidates

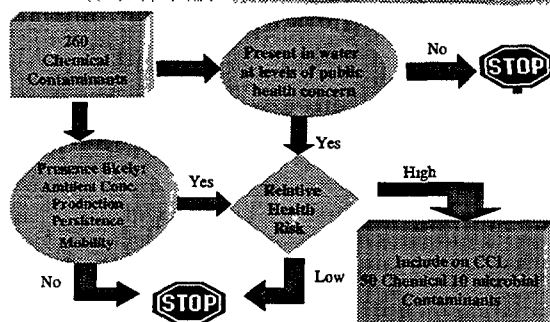
- From various data bases, EPA pared down list of likely candidate contaminants to 260
- Further evaluated risk to public health, by exposure and health effect and quality of data
- Selected best candidates: 60

Contaminant Candidate List (CCL)

Functions of the CCL:

- ▶ Source for determinations to regulate or not for at least 5 contaminants within 3 1/2 years after listing (originally due August 2001)
 - ▶ Is not the list of chemicals to regulate, but a starting point.
- ▶ Focus and prioritize research agenda for contaminants with data gaps. Dismiss or issue guidance for contaminants which do not require regulation
- ▶ Be the source for selection of contaminants for unregulated contaminant monitoring regulation (UCMR) finalized in 1999

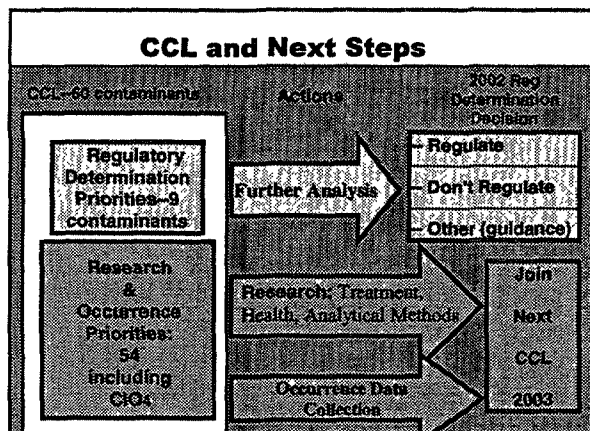
CCL Chemical Screening Criteria



Post Listing: Regulation Determination

Determination to Regulate contaminant based on S 1412(b)(1)

- ▶ May have adverse health effect
- ▶ Substantial likelihood of occurrence at frequency and level of public health concern
- ▶ Regulation represents a meaningful opportunity for health risk reduction in public water systems

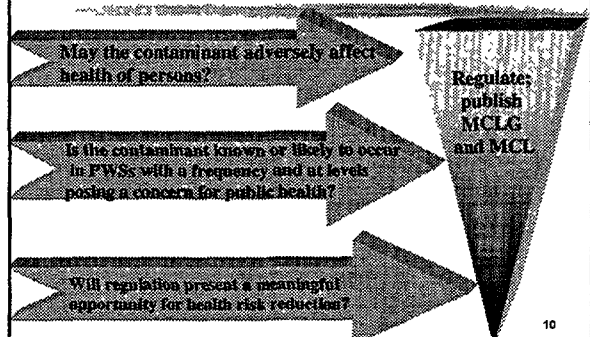


Office of Water Perspectives on Perchlorate

- Receives individual attention w/o specific statutory requirements in SDWA.
- Research and occurrence a priority for the OGWDW.
- EPA is very engaged in the 24 member IPSC
 - ➔ Interagency Perchlorate Steering Committee.
 - Ensures exchange of information to support decision making



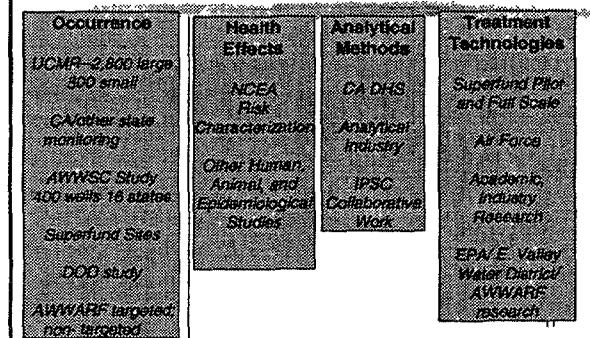
SDWA Criteria for Determination to Regulate



Regulatory and Policy Agenda for Perchlorate

- Research continues; Determination to Regulation/not regulate is not made for this cycle of the CCL
- Perchlorate is included in the final Unregulated Contaminant Monitoring list and occurrence data are coming in from other sources as well
- EPA may issue *Health Advisory* as a guidance in the interim, before occurrence, treatment, analytical method, cost are available and a determination to regulate can be made.

Where do we get the data?



EPA Health Advisory Program

- Not federally enforceable.
- Technical guidance to assist State, Tribal, and local officials responsible for protection of public health.
- Subject to change as new information becomes available.

EPA Health Advisory Program

■ SDWA General Authority:

- ♦ "The Administrator may publish health advisories (HA), which are not regulations, or take other appropriate actions for contaminants not subject to any national primary drinking water regulation."

■ Health Advisories

- ♦ Represent an estimate of acceptable drinking water levels for chemical substances based on health effects information. It is not an enforceable standard but a technical guidance to Federal State and local officials.

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EPA Health Advisory Program

■ One-day HA:

- ♦ The concentration of a chemical in drinking water that is not expected to cause any adverse noncarcinogenic effects for up to one day of exposure

■ Ten-day HA:

- ♦ The concentration of a chemical in drinking water that is not expected to cause any adverse noncarcinogenic effects for up to ten days of exposure

■ Lifetime HA:

- ♦ The concentration of a chemical in drinking water that is not expected to cause any adverse noncarcinogenic effects for a lifetime of exposure

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Next Steps

■ Near Term:

- ♦ Peer review report will be issued by this Fall
- ♦ IRIS (Integrated Risk Information System) will meet to develop RfD by winter/spring
- ♦ Possibly develop a Health Advisory

■ Longer Term (1 to 2 years):

- ♦ As data gaps filled, perchlorate moves to the regulatory determination priority category. EPA may make "off-cycle" regulatory determination when data become available -- rather than wait until next CCL regulatory determination in 2006